

Summary of Meeting
CALFED Bay-Delta Program Levee and Channel Technical Team
February 4, 1998

Key Discussion Items:

- “Long-Term Goals” were again discussed.
- “Assurances” that were extensively rewritten after the last Levee and Channel meeting on January 7, 1998 were again discussed.
- Emergency Response was discussed.
- The status of “sub-teams” was discussed
- The latest levee upgrade cost estimates were discussed.

Action Items:

- “Long-Term Goals” were rewritten with only minor corrections.
- “Assurances” were discussed at length. Many had faxed in rewrites.
- Emergency Response was presented by Curt Schmutte. DWR Central District has been active in developing an Emergency Response Plan including an organizational chart for when Central District is converted into a Delta Area Operations Center. More work remains to be done including the writing of a manual and its distribution. Curt suggested a 1498 budget arrangement with CALFED to fund publication of the manual.
- The status of the sub-teams was briefly discussed. Many have rarely formally met or, in some cases, never met although that didn’t mean that related work was not accomplished.
- The latest version of cost estimates to upgrade Delta levees to PL 84-99 standard. The list was too extensive according to meeting participants and many islands can be eliminated as their levees are already at a higher standard. Two members of the Levee and Channel Tech Team will whittle the list down and present their findings when the next meeting is scheduled.
- The next meeting of the CALFED Levee and Channel Technical Team will be on March 4, 1998 from 9-12 in room 1142 of the Resources Building

Draft Meeting Notes
CALFED Bay-Delta Program Levee and Channel Technical Team
February 4, 1998 at 9:00 am in room 1142 of the Resources Building

Attendance List:

Rob Cooke, CALFED (chair)
Curt Schmutte, DWR Central District
Michael Norris, DWR Central District (minutes)
Lynn O'Leary, Corps of Engineers / CALFED
Margit Aramburu, Delta Protection Commission
Lori Clamarro, Delta Protection Commission
Ed Littrell, Fish and Game
Dante John Nomellini, Central Delta Water Agency
Michael Ramsbotham, Corps of Engineers / CALFED
Steve Deverel, Private Consultant
Gilbert Cosio, Murray Burns and Kienlen
Mike Heaton, CALFED Consulting Team
Chris Neudeck, Kjeldsen, Sinnock, and Neudeck Inc
Tom Zuckerman, Central Delta Water Agency
Gary Tilkian, Metropolitan Water District of Southern California
Jim Monroe, Corps of Engineers
BJ Miller, San Luis and Delta Mendota Water Authorities
Martin McCann, Jack R Benjamin and Associates
Mike Driller, DWR
Ray Costa, Kleinfelder Consultants
John Cain, Natural Heritage Institute
Bill Curry, Department of Boating and Waterways
Gwen Knittweis, CALFED
Bob Clark, Central Calif Flood Control Association / North Delta Water Agency
Kenneth King, Private Consultant
John Turner, Private Consultant
G. Fred Lee, G. Fred Lee and Associates
Dave Gore, US Bureau of Reclamation
Carlos Espana, Espana Geotechnical

Rob Cooke convened the meeting. The meeting minutes from 1-7-98 CALFED Levee and Channel meeting were reviewed and approved by the group with two corrections. Chris Neudeck noted that the sentence discussing the funding streams for the Delta Levee Subventions Program versus the Special Projects Program as far as his company floating costs for 60 days but not 360 days should have read "the districts can float costs". Michael Norris noted the acronyms SEMS and ICS were misspelled on the last page of the meeting minutes.

Rob reported that he has been asked to take on the task of permit coordination for all of CALFED and he wasn't sure if that would impact his work with the Levee and Channel Technical Team. Chris asked if that meant that Rob would step down as chair of the Levee and Channel Technical Team and Rob said no. It would just be an additional task he would have to do.

Rob asked about the rewrite of the "goals". Margit asked about goal # 7 and the reference to the formation of a "Delta Dredge Material Management Office". The "DMMO" process, according to Curt Schmutte, is a coordinated regulatory and planning program for one stop permit shopping for dredging. Margit wondered if it was necessary to mention a particular process and also wondered if the concept was an "implementation" rather than a goal.

Gwen Knittweis had a comment on goal # 3 that reads "refine and implement levee associated habitat mitigation requirements (permit coordination)". Gwen thought that "developing the process" for permit coordination should be the goal and not the "implementation" of it. Ed Littrell thought we could make permit coordination a separate line item. Dante Nomellini thought that the permit process for maintenance of certain facilities was different from the permit process for construction of new facilities. Margit thought that goal #3 should be separated into goals 3A and 3B for maintenance and rehabilitation. Dante suggested adding a new goal # 4 for "coordinating all necessary permits and processes".

Margit had one question on goal # 6 which read "quantify seismic risk and take appropriate action". Lynn O'Leary suggested rewording it to read "quantify seismic risk of Delta levees and take appropriate action".

Rob started the "assurances" discussion and noted the goal is to give our list of assurances to the BDAC Assurances Workgroup and they will take it from there. Rob noted they may or may not take our assurances verbatim.

Mike Heaton discussed the assurances for funding. Mike believes the funding stream needs to be changed from an annual process but he wonders what process will take its place. The sale of bonds has been suggested. Dante suggested putting all the State and Federal monies up front but thought that idea might be difficult to sell. The local share could come from annual maintenance.

Jim Monroe and Dante discussed the issue of Federal ownership on Delta islands. Dante said PG&E pays an assessment to Delta landowners for their facilities on the islands but WAPA does not because they claim an exemption. Dante thought it could be necessary to pay some sort of an assessment if, for example, 90% of an island got used up for a Federal facility and the island was expected to contribute their annual fees from the monies they could earn from the remaining 10% of the land. Bob Clark gave an assessment example from Solano County and Tom Zuckerman gave an example from a duck club's perspective. Ed Littrell thought the problem couldn't be solved at today's meeting but it was worth noting as a problem. Bob Clark summarized by saying there's no way to get away from the challenge of facing annual appropriations.

Margit asked about levee assurances with respect to \$15 million per year going to fund mitigation for the first three years. Margit didn't think Ed's mitigation program could spend a total of \$45 million but Ed thought there might be a way. Dante suggested giving the fish and wildlife entities the funding to do the mitigation and then have them tasked to do it.

Dante said DWR needed to be added to the list of agencies under the assurance for Emergency Response Element.

Rob referred to the list of questions that the BDAC Assurances Workgroup needs answered on page 5 of the Assurances. For the section dealing with Emergency Response Element, Dante suggested adding "strengthen Section 128 authority for DWR ability to respond". Curt Schmutte thought changing the sentence "emergency response in the Delta is improved by having pre-positioned flood fighting supplies and improved local organization" to read "emergency response in the Delta is improved by having pre-positioned flood fighting supplies and improved State and Federal local organization". Curt emphasized we need the Federal funding for disasters. Chris Neudeck said a "first response strike fund" needs to be addressed because the districts can't float any credit from a bank. A response strike fund will enable districts to get in there more quickly to armor levees in danger of failing. Under the section entitled "what elements are important for the plan", Dante suggested adding a line item for "maintenance of assessment base for locals". Also, it was noted to strike the reference to modifying the California Water Code. Jim Monroe noted that, with respect to the reference to "streamlined levee maintenance permit process", there already is a process to achieve PL 84-99 although he didn't object to the concept of a streamlined process. Under the section entitled "what are the major pitfalls to successful implementation", Margit suggested adding "regulatory quagmire / windows" as a line item with respect to getting or maintaining the required authority to implement and assure the plan. Under the section entitled "what strings or conditions are appropriate for Delta levee improvements", Mike Heaton discussed the integration of ERPP levee projects and regular levee upgrade projects and how they don't want ERPP levee projects to prevent levee maintenance. The Safe Harbors Act was discussed as a reference but it was noted that this act has fallen out of favor in some minds.

John Turner noted that California isn't using Direct Biological Monitoring and, if some thing could be put into place, then maybe the Regional Board would see that it makes sense and go for it. According to Turner, California, Nevada, and South Dakota have some programs that could be put into place. Some programs have been put into place for oil spills. G. Fred Lee says the state water boards are stuck with the present "chemical specific" approach until EPA changes the way it is done. According to Lee, the "chemical specific" approach results in overregulation.

John Cain suggested coordinating ERPP and mitigation and setting up 2 accounts for mitigation and enhancement rather than having 2 separate accounts. Rob Cooke said that very concept is being envisioned. Ed Littrell said existing law covers enhancement through AB360 and a linkage between AB360 and ERPP would have to occur if peoples suggestions are implemented. Ed suggested the sentence "the ERPP will be responsible for formulation and implementation of all enhancement components on behalf of the levee program" be modified to specifically reference

AB360. Otherwise, an authority which is already addressed in an existing law get shifted somewhere else which may or may not be what people are trying to do.

B.J. Miller asked whether or not, in addition to an expensive ecosystem program, there would also be an additional mitigation program that water users would have to fund but Rob Cooke didn't think that was the case. B.J. thought some "footprint" mitigation for individual sites was alright but not a Delta-wide mitigation. Tom Zuckerman thought that individual projects would be responsible for on-site mitigation and ERPP would be on top of that.

Rob then shifted the discussion to Emergency Response and Curt Schmutte gave an update. According to Curt, a coordinated ICS/SEMS system would be developed for the Delta as well as a first strike fund. A operations manual needs to be printed. Curt identified a 6-part program to deal with emergencies in the Delta and said a "1498" budget arrangement between CALFED and DWR Central District would enable this work to be accomplished. Margit thought dredging issues such as GP60 should be addressed in the manual Curt is referring to.

Rob asked for brief updates from the various sub-teams. Many have not met in a long time or never formally met although that doesn't mean that no work has been accomplished in their respective interests. Curt said the dredge material sub-team is probably best represented by the Delta Levee Habitat Advisory Group which meets in the Resources Building on the first Friday of each month and usually ends up discussing dredging issues. According to Margit Aramburu, the Delta In-Channel Island Sub-Team discussed linking with CALFED but the linkage may have been more of an engagement than a marriage. Steve Deverel said the subsidence sub-team met once and that meeting resulted in a study and a report being done. Mike Driller gave a brief update of the seismic sub-team and it's members. Chris Neudeck said the next meeting of the seismic sub-team is on 3-12-98 and anyone is welcome to attend. Ed Littrell said the levee-associated habitat sub-team has not been meeting and the interests with that group are not the same as the Delta Levee Habitat Advisory Group. However, the ERPP levee maps which were drawn up in draft form but not published are being discussed again on 2-5-98 by a group in Dante Nomellini's office.

B.J. Miller asked about boating effects on levees as it affects erosion and whether or not it is being dealt with. It was the consensus of the group that the problem exists but it is not being dealt with by this group. Margit said the issue is being investigated right now by the Dept of Boating and Waterways and she spoke on behalf of the Boating and Waterways meeting attendee who could not stay for the whole meeting. According to Margit, that department is midway in a 5-year study looking at those issues and other reports and studies have been done in the past. Dante noted some studies in the past have shown low impact from boating in areas of high winds but the reverse is true in areas of low wind. B.J. and Dante noted this matter could affect deciding whether or not to put waterside berms in areas of high waterside erosion. Dante and Tom Zuckerman said the boating wakes wouldn't be an issue if levees are upgraded to PL 84-99 standard but would be an issue in areas such as waterside berms. Dante, who is himself a boater, said he served on a task force in the past and the group concluded that it is better to get funds

from the General Fund to offset the problem than assessing a tax on boaters.

B. J. Asked whether or not the mitten crab issue as it could affect levees is being dealt with by this group and consensus of the group was again that the problem exists but it is not being dealt with by this group. Dante didn't think there's been a levee maintenance problem yet from mitten crabs although, if the density of the mitten crabs is as dense as B.J. has noted, then any problems with respect to levees should show up in the near future if they show up at all.

Rob presented the "inventory" of Delta levees as part of the levee upgrade cost estimate. Many in the group thought the list was too extensive. Michael Norris noted the list resulted from an effort by DWR Central District to come up with the figure of "1100" miles of Delta levees that is noted in the Delta Atlas but not itemized. The Delta Atlas itemizes "project" and "nonproject" levee for a total in the 700 range but the remaining several hundred is unknown and that was why Central District did the detailed inventory. Regardless, Dante and Chris said that many levee systems can be eliminated because they are already at a higher standard or should not be on the list for improvements. Dante and Chris will scale the list back and present their results at the next meeting. This should eliminate a few hundred thousand dollars in proposed levee upgrades.

Rob said a Long-Term Levee Protection Plan will be presented as an appendix to the CALFED March 1998 EIR/EIS. The document has already been printed so the latest materials being discussed, such as the ERPP maps and the PL 84-99 levee upgrade cost estimates, will come out in a subsequent report.

John Cain asked if a BDAC advisory committee reviews the CALFED Bay-Delta Program Levee and Channel Technical Team's work and the answer was no. Lynn said the intent was to keep the focus of the group technical and issues such as "assurances" could be linked to BDAC as necessary. It was noted that Alex Hildebrand, a BDAC member, has been an active member of the CALFED Bay-Delta Program Levee and Channel Technical Team in the past.

Rob set the next meeting of the CALFED Levee and Channel Technical Team for Wednesday March 4, 1998 from 9-12 in room 1142.

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